

UNITED STATES BANKRUPTCY COURT
Southern District of California

In re

Bankruptcy Case No.

Debtor

Adversary Proceeding No.

Plaintiff

v.

Defendant

Third-Party Defendant

THIRD PARTY SUMMONS IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the Clerk of the Bankruptcy Court within 30 days from the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days of issuance.

Address of Clerk	Clerk, United States Bankruptcy Court 325 West "F" Street San Diego, California 92101-6991
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney
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At the same time, you must also serve a copy of the motion or answer upon the defendant and third-party plaintiff's attorney.

Name and Address of Attorney

If you make a motion, your time to answer is governed by Federal Rule of Bankruptcy Procedure 7012. If you are also being served with a copy of the complaint of the plaintiff, you have the option of not answering the plaintiff's complaint unless this is an admiralty or maritime case subject to the provisions of Federal Rules of Civil Procedure 9(h) and 14(c), in which case you are required to submit a motion or an answer to both the plaintiff's complaint and the third-party complaint, and to serve a copy of your motion or answer upon the appropriate parties.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Barry K. Lander, Clerk

PROOF OF SERVICE

I, _____, certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

I further certify that the service of this summons and a copy of the complaint was made _____ by:
[date]

[] Mail Service - Regular, first class United States mail, postage fully pre-paid, addressed to:

[] Personal Service - By leaving the documents with the following defendant(s) or an officer or agent of the defendant(s) at:

[] Residence Service - By leaving the documents with the following adult at:

[] Publication - The defendant was served as follows: [describe briefly]

[] State Law - The defendant was served pursuant to the laws of the State of _____, as follows: [describe briefly]

Under penalty of perjury, I declare that the foregoing is true and correct.

[Date]

[Signature]

Print Name		
Business Address		
City	State	ZIP